

UNITED STATES DISTRICT COURT

for the

Southern District of West Virginia

SEALED

In the Matter of the Search of)
 (Briefly describe the property to be searched)
 or identify the person by name and address))

Case No. 2:18-mj-00073

Family Discount Pharmacy)
 Old Route 119, Mount Gay, Logan County, West Virginia)

FILED

JUL 25 2018

RORY L. PERRY II, CLERK
 U.S. District Court
 Southern District of West Virginia

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the Southern District of West Virginia
 (identify the person or describe the property to be searched and give its location):

See Attachment A.

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property described above, and that such search will reveal (identify the person or describe the property to be seized):

See Attachment B.

YOU ARE COMMANDED to execute this warrant on or before July 30, 2018 (not to exceed 14 days)

☐ in the daytime 6:00 a.m. to 10:00 p.m. ☒ at any time in the day or night because good cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to Dwane L. Tinsley
 (United States Magistrate Judge)

☐ Pursuant to 18 U.S.C. § 3103a(b), I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (check the appropriate box)

☐ for days (not to exceed 30) ☐ until, the facts justifying, the later specific date of

Date and time issued: July 16, 2018 - 3:43 PM

Judge's signature

City and state:

Dwane L. Tinsley, United States Magistrate Judge

Printed name and title

Return

Case No.:

2:18-mj-00073

Date and time warrant executed:

7-17-18 9:05am

Copy of warrant and inventory left with:

EARL Ray Ciangos MB

Inventory made in the presence of:

SA PHILIP HARTSHORNE

Inventory of the property taken and name of any person(s) seized:

- 1) 16 BOXES of SUSPECTED CII PRESCRIPTIONS;
- 2) 4 HARD DRIVE IMAGES;
- 3) 1 BACK-UP HARD DRIVE;
- 4) 1 BOX of SUSPECTED CII PRESCRIPTIONS;
- 5) 1 BOX of DOCUMENTS & PRESCRIPTIONS;
- 6) 10 BOXES of MISC. DOCUMENTS.

~~7/27/18 NO FURTHER.~~

Certification

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

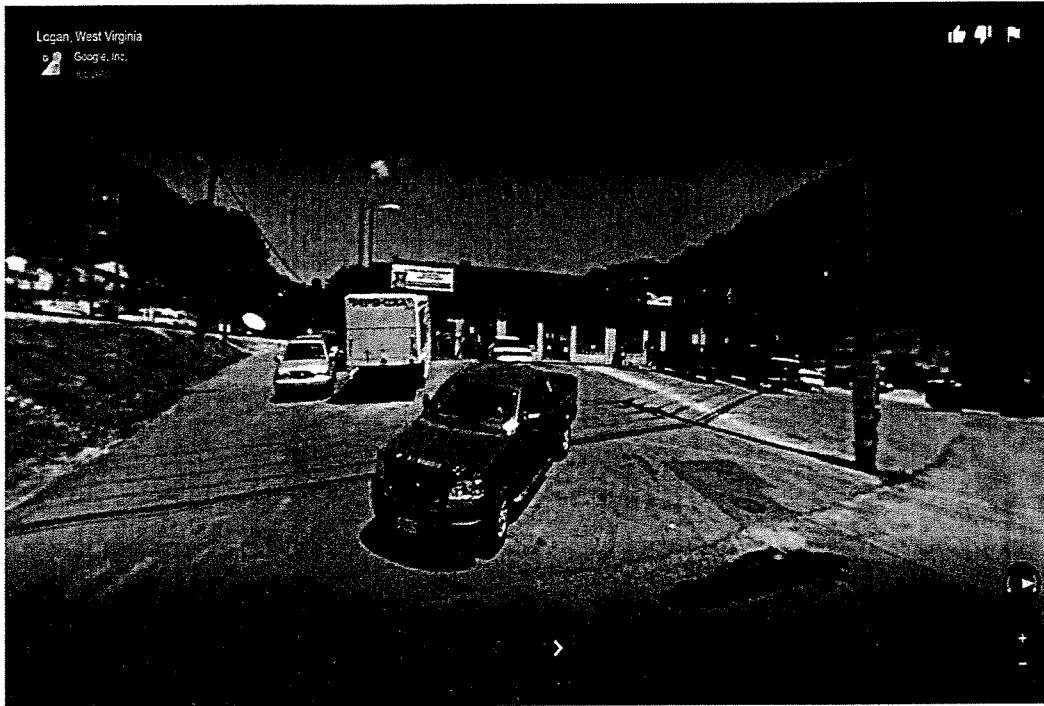
Date:

7-23-18

Joshua J. Tripp
Executing officer's signature

JOSHUA TRIPP, SPECIAL AGENT
Printed name and title

ATTACHMENT A



Family Discount Pharmacy in Mt. Gay, Logan County, West Virginia, is identified by two separate numbered locations, 1247 Old Route 119 in Mt. Gay, West Virginia, and 360 Mount Gay Road, Mt. Gay, West Virginia. The building is located at the intersection of Holden Road and Mud Fork Road. Family Discount Pharmacy's main entrance faces west and is bordered to the north by railroad tracks. Family Discount Pharmacy shares a building with a U.S. Post Office (Addressed as 352 Mt Gay Road, Mt. Gay, West Virginia, 25637). Family Discount Pharmacy and the U.S. Post Office have separate entrances. Family Discount Pharmacy is within a brick masonry and metal structured building with large glass windows on the front of the building. The western half of the building is one story, while the eastern half of the building is two story. A sign on the front of the building reads "Family Discount Pharmacy" and is red and white.

ATTACHMENT B
ITEMS TO BE SEIZED

Property and records that constitute evidence of the commission of criminal offenses, specifically violations of 21 U.S.C. § § 841(a)(1), 843, and 846, and property designed or intended for use or which is or has been used as a means of committing said criminal offenses.

Including the following:

1. All controlled substance prescriptions from November 18, 2013 through present;
2. Daily drug logs, records, notes, memoranda, payment information, customer/patient charts and information files regarding prescriptions for controlled substances filled from November 18, 2013 through present, including but not limited to, information regarding the customers to whom the controlled substances are prescribed and the customers retrieving the prescriptions;
3. Records pertaining to Family Discount Pharmacy's ordering of both controlled and non-controlled substances, invoices related to each purchase, orders that were denied, cancelled, or refused, any communication documenting the reason for any denial or refusal, and any communication between Family Discount Pharmacy, its agents or employees, discussing an order from a controlled substance supplier;
4. Communications (electronic, written, or summaries of verbal conversation) between owners, managers, employees, practitioners, customers, and/or drug suppliers, which constitute evidence of violations of the Controlled Substance Act;
5. Any and all records regarding ownership or incorporation of Family Discount Pharmacy;
6. Any financial documents associated with Family Discount Pharmacy, including but not limited to, checkbooks, bank statements, checks and deposit items for the period of November 18, 2013 through present, that may reveal the location of proceeds or profits from the illegal distribution of controlled substances; and
7. Any surveillance media which may contain footage relating to the illegal distribution of controlled substances.